

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler
Title: DIAGNOSTIC DEVICES AND
APPARATUS FOR THE
CONTROLLED MOVEMENT OF
REAGENTS WITHOUT
MEMBRANES
Appl. No.: 09/613,650
Filing Date: 7/11/2000
Examiner: Alexander, Lyle
Art Unit: 1743
Confirmation Number: 9972

TERMINAL DISCLAIMER OVER U.S. PATENT NO. 5,458,852

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Biosite, Inc., having its principal place of business at 9975 Summers Ridge Road, San Diego, CA 92121, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 09/613,650, filed 7/11/2000, by virtue of an Assignment from Kenneth F. Buechler, Ph.D. to Biosite Diagnostics Inc., which is recorded on October 14, 2003, on Reel/Frame 014048/0892, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A, and by virtue of a corporate name change from Biosite Diagnostics Inc. to Biosite Inc., which is recorded on June 4, 2003, on Reel/Frame 013705/0660, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Further, your Petitioner represents that it is the owner of U.S. Patent No. 5,458,852, which issued on U.S. Patent Application No. 07/887,526, filed May 21, 1992, by virtue of an Assignment from Kenneth Francis Buechler to Biosite Diagnostics Incorporated recorded on September 21, 1992, on Reel/Frame 006243/0843, a copy of which is attached as APPENDIX C, and corporate name change from Biosite Diagnostics Inc. to Biosite Inc., which is recorded on June 4, 2003, on Reel/Frame 013705/0660, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, Biosite, Inc., hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 5,458,852, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 5,458,852 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 5,458,852 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 5,458,852 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 5,458,852 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 5,458,852, in the event that such present term is extended by virtue of compliance with the conditions for term

extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 5,458,852 rests with Petitioners, Biosite, Inc.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date 11/30/2006

FOLEY & LARDNER LLP
Customer No.: 30542
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

By Barry S. Wilson

Richard Warburg, Reg. No. 32,327
By Barry S. Wilson, Reg. No. 39,431
Attorney for Applicant

APPENDIX A



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 16, 2003

PTAS

FOLEY & LARDNER
BARRY S. WILSON
PO BOX 80278
SAN DIEGO, CA 92138-0278



700048211A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 10/14/2003

REEL/FRAME: 014048/0892
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BUECHLER, KENNETH F., PH.D.

DOC DATE: 10/10/2003

ASSIGNEE:

BIOSITE DIAGNOSTICS, INC.
11030 ROSELLE STREET
SUITE D
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09613650
PATENT NUMBER:

FILING DATE: 07/11/2000
ISSUE DATE:

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified)

(Rev 8-02)

RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Kenneth F. Buechler, Ph.D.

2. Name and address of receiving party(ies):

 Biosite Diagnostics, Inc.
 11030 Roselle Street
 Suite D
 San Diego, CA 92121

Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

October 10, 2003

Additional name(s) & address(es) attached?

NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/613,650

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

 Barry S. Wilson
 FOLEY & LARDNER
 P.O. Box 80278
 San Diego, California 92138-0278

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41):

\$40.00

Check Enclosed

☒ Charge to deposit account

8. Deposit account number: 50-0872

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Barry S. Wilson

Name of person signing

Signature

October 14, 2003

Date

Total number of pages including cover sheet, attachments, and document: 3

C-1 \$40.00 500872 09613650

FORM PTO-1595 (modified)

(Rev 6-93)

U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|--|---|--|
| 1. Name of conveying party(ies): Kenneth F. Buechler, Ph.D. | | 2. Name and address of receiving party(ies): Biosite Diagnostics, Inc. 11030 Roselle Street Suite D San Diego, CA 92121 | |
| Additional conveying party(ies) NO | | | |
| 3. Nature of conveyance: ASSIGNMENT Execution Date: October 10, 2003 | | Additional name(s) & address(es) attached? NO | |
| 4. Application number(s) or patent number(s): If this is being filed together with a new application, the execution date of the application is: | | | |
| A. Patent Application Number(s): 09/613,650 | | B. Patent Number(s): | |
| Additional numbers attached? NO | | | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: Barry S. Wilson FOLEY & LARDNER P.O. Box 80278 San Diego, California 92138-0278 | | 6. Total number of applications/patents involved: 1 | |
| | | 7. Total fee (37 C.F.R. § 3.41): \$40.00 Check Enclosed | |
| | | <input checked="" type="checkbox"/> Charge to deposit account | |
| | | 8. Deposit account number: 50-0872 | |
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| Barry S. Wilson | | October 14, 2003 | |
| Name of person signing | | Signature | |
| | | Date | |
| Total number of pages including cover sheet, attachments, and document: 3 | | | |

ASSIGNMENT AND AGREEMENT

WHEREAS, Kenneth F. Buechler, Ph.D. of PO Box 77, Rancho Santa Fe, CA 92067; (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT OF REAGENTS WITHOUT MEMBRANES** (Atty. Dkt. No. 071949-1307) for which an application for United States Letters Patent was filed on July 11, 2000 as Application No. 09/613,650; and

WHEREAS, Biosite Diagnostics, Inc., a corporation duly organized and existing under the laws of the State of Delaware, and having its principal place of business at 11030 Roselle Street, Suite D, San Diego, CA 92121 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue

Atty. Dkt. No. 071949-1307

applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR HEREBY GRANTS to the law firm of **Foley & Lardner** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of **Foley & Lardner** do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.


Executed this 10 day of Oct, 2003



KENNETH F. BUECHLER, PH.D.

State of California
County of San Diego

On this 10 day of October, 2003, before me, a notary public in and for said county, appeared KENNETH F. BUECHLER, PH.D., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.



Notary Public
My Commission Expires: 10/20/05

APPENDIX B

Facsimile Transmission ?

ORIGINAL

*This company uses RightFAX® fax
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From: Name: USPTO ASSIGNMENT DIVISION
Fax Number:
Voice Phone: 703-308-9723

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To: Name: FOLEY & LARDNER
Company: MICHAEL A. WHITTAKER
Fax Number: 18587926773
Voice Phone:

Fax Notes:

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| 2 | 530.TXT |
| 4 | Document 1, Batch 242483 |

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Patent and Trademark Office
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Washington, D.C. 20231

JUNE 05, 2003

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FOLEY & LARDNER
MICHAEL A. WHITTAKER
P.O. BOX 80278
SAN DIEGO, CA 92138

700032397A

700032397A

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RECORDATION DATE: 06/04/2003

REEL/FRAME: 013705/0660
NUMBER OF PAGES: 3

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BIOSITE DIAGNOSTICS, INC.

DOC DATE: 06/20/2001

ASSIGNEE:

BIOSITE, INC.
11030 ROSELLE STREET
SUITE D
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09613650
PATENT NUMBER:

FILING DATE: 07/11/2000
ISSUE DATE:

SERIAL NUMBER: 07887526
PATENT NUMBER: 5458852

FILING DATE: 05/21/1992
ISSUE DATE: 10/17/1995

SERIAL NUMBER: 08447895
PATENT NUMBER: 6019944

FILING DATE: 05/23/1995
ISSUE DATE: 02/01/2000

SERIAL NUMBER: 08447981
PATENT NUMBER: 5885527

FILING DATE: 05/23/1995
ISSUE DATE: 03/23/1999

013705/0660 PAGE 2

SERIAL NUMBER: 08828041
PATENT NUMBER: 6156270FILING DATE: 03/27/1997
ISSUE DATE: 12/05/2000SERIAL NUMBER: 08902775
PATENT NUMBER: 6271040FILING DATE: 07/30/1997
ISSUE DATE: 08/07/2001SERIAL NUMBER: 08810569
PATENT NUMBER: 6143576FILING DATE: 03/03/1997
ISSUE DATE: 11/07/2000JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

JUN. 4. 2003 8:00PM

07/07/03 0:14 PAGE 1/1

RIGHT FAX

NO. 0786 P. 2/4

06/04/2003
700032397

Atty. Dkt. No. 1

49-1301, 02, 03, 04, 05, 06, 07

FORM PTO-1596 (modified)

(Rev. 5-93)

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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Biosite Diagnostics, Inc.

2. Name and address of receiving party(ies):

Biosite, Inc.
11030 Roselle Street
Suite D
San Diego, CA 92131

Additional conveying party(ies) NO

3. Nature of conveyance:

CHANGE OF NAME

Execution Date:

June 20, 2001

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/613,650

B. Patent Number(s):

5,458,852; 6,019,944; 5,885,527;
6,156,270; 6,271,040; 6,143,576

Additional numbers attached? YES

5. Name and address of party to whom correspondence concerning document should be mailed:

Michael A. Whittaker
FOLEY & LARDNER
P.O. Box 80278
San Diego, CA 92138-0278

6. Total number of applications/patents involved: 7

7. Total fee (37 C.F.R. § 3.41): \$280.00

Check Enclosed

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8. Deposit account number: 50-0872

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Michael A. Whittaker



June 3, 2003

Name of person signing

Signature

Date

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 E-3 NO ANSWER
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ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200

SAN DIEGO, CA 92130

P.O. BOX 80278

SAN DIEGO, CALIFORNIA 92138-0278

TELEPHONE: 858.347.8700

FACSIMILE: 858.792.6773

WWW.FOLEYLARDNER.COM

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From : Michael A. Whittaker
 Email Address : Mwhittaker@foleylaw.com
 Sender's Direct Dial : 858.847.6721
 Date : 6/3/03
 Application S/N : 09/613,650
 Patent No(s) : 5,458,852; 6,019,944; 5,885,527;
 6,156,270; 6,271,040; 6,143,576
 Client Name : Biosite Incorporated
 Client/Matter No : 071949-0100
 User ID No : 0093

OFFICIAL

Transmitted herewith for filing in the above-referenced application are the following:

- 1) Recordation Form Cover Sheet (1 pgs.);
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FOLEY & LARDNER
ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEYLARDNER.COM

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| From : | Michael A. Whittaker |
| Email Address : | Mwhittaker@foleylaw.com |
| Sender's Direct Dial : | 858.847.6721 |
| Date : | 6/3/03 |
| Application S/N : | 09/613,650 |
| Patent No(s) : | 5,458,852; 6,019,944; 5,885,527; 6,156,270; 6,271,040; 6,143,576 |
| Client Name : | Biosite Incorporated |
| Client/Matter No : | 071949-0100 |
| User ID No : | 0093 |

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FORM PTO-1595 (modified)

U.S. DEPARTMENT OF COMMERCE

(Rev 5-93)

Patent and Trademark Office

RECORDATION FORM COVER SHEET

PATENTS ONLY

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Biosite Diagnostics, Inc.

2. Name and address of receiving party(ies):

Biosite, Inc.
11030 Roselle Street
Suite D
San Diego, CA 92121

Additional conveying party(ies) **NO**

3. Nature of conveyance:

CHANGE OF NAME

Execution Date:

June 20, 2001Additional name(s) & address(es) attached? **NO**

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/613,650

B. Patent Number(s):

5,458,852; 6,019,944; 5,885,527;
6,156,270; 6,271,040; 6,143,576

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Michael A. Whittaker
FOLEY & LARDNER
P.O. Box 80278
San Diego, CA 92138-0278

6. Total number of applications/patents involved: **7**7. Total fee (37 C.F.R. § 3.41): **\$280.00**

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Michael A. Whittaker



June 3, 2003

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **3**

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "BIOSITE DIAGNOSTICS INCORPORATED", CHANGING ITS NAME FROM "BIOSITE DIAGNOSTICS INCORPORATED" TO "BIOSITE INCORPORATED", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF JUNE, A.D. 2001, AT 6 O'CLOCK P.M.



2156383 8100

020186343

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1686367

DATE: 03-25-02

STATE OF DELAWARE 15:48 FR PW SF
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 06:00 PM 06/20/2001
010298257 - 2156393

415 983 1200 TO 913026748340 P.03/03

CERTIFICATE OF AMENDMENT TO THE
RESTATED CERTIFICATE OF INCORPORATION
OF
BIOSITE DIAGNOSTICS INCORPORATED

Biosite Diagnostics Incorporated, a corporation organized and existing under the laws of the State of Delaware, hereby certifies as follows:

FIRST: The name of the corporation is Biosite Diagnostics Incorporated and shall hereby be changed to Biosite Incorporated.

SECOND: The date of filing of its original Certificate of Incorporation with the Secretary of State of Delaware was March 30, 1988.

THIRD: At a meeting of the Board of Directors of Biosite Diagnostics Incorporated, resolutions were duly adopted providing that it was advisable and in the best interests of the corporation that Article I of the Restated Certificate of Incorporation of Biosite Diagnostics Incorporated, shall be amended to read in its entirety as follows:

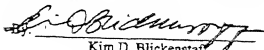
"ARTICLE I

The name of this Corporation is Biosite Incorporated."

FOURTH: This Certificate of Amendment To the Restated Certificate of Incorporation was duly adopted at the annual meeting of the stockholders, which was duly called and held, upon notice in accordance with Section 222 of the General Corporation Law of the State of Delaware, by at least a majority of the holders of outstanding stock in accordance with section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS THEREOF, Biosite Diagnostic Incorporated has caused this certificate to be signed by the undersigned officer, thereunto duly authorized, this 20 day of June, 2001.

BIOSITE DIAGNOSTICS INCORPORATED


Kim D. Blickenstaff
President and Chief Executive Officer

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TT: 558 792-6773 FOLEY AND LARDNER

TRANSMITTED/STORED JUN. 3. 2003 1:26PM

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| <p>From : Michael A. Whittaker</p> <p>Email Address : Mwhittaker@foleylaw.com</p> <p>Sender's Direct Dial : 858.847.6721</p> <p>Date : 6/3/03</p> <p>Application S/N : 09/613,650</p> <p>Patent No(s) : 5,458,852; 6,019,944; 5,885,527; 6,156,270; 6,271,040; 6,143,576</p> <p>Client Name : Biosite Incorporated</p> <p>Client/Matter No : 071949-0100</p> <p>User ID No : 0093</p> |
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OFFICIAL

Transmitted herewith for filing in the above-referenced application are the following:

- 1) Recordation Form Cover Sheet (1 pgs.);
- 2) Certification of Name Change (1 pg.); and
- 3) Certificate of Amendment (1 pg.).

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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DATE: 10/28/92
TO:
LYON & LYON
611 WEST SIXTH ST.
34TH FL.
LOS ANGELES, CA 90017
ATTN: MARY S. CONSALVI, ESQ.

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ASSIGNOR:
KENNETH FRANCIS BUECHLER

DOC DATE: 09/14/92

RECORDATION DATE: 09/21/92 NUMBER OF PAGES 003 REEL/FRAME 6243/0843

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:
BIOSITE DIAGNOSTICS INCORPORATED
11030 ROSELE STREET STE. D
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER 7-887526 FILING DATE 05/21/92
PATENT NUMBER ISSUE DATE 00/00/00

EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

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LYON & LYON

RECORDATION FORM COVER SHEET
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

(1) Name of conveying party(ies):
KENNETH FRANCIS BUECHLER
12523 Manifesto Place
San Diego, CA 92130Additional name(s) of conveying party(ies) attached? Yes XXX No(3) Nature of conveyance:
XX Assignment—0/ Merger
Security Agreement Change of Name
OtherExecution Date: September 14, 1992

(2) Name and address of receiving party(ies):

Name: BIOSITE DIAGNOSTICS INCORPORATED

Internal Address: _____

Street Address: 11030 Roselle Street
Suite DCity: San Diego State: CA ZIP 92121Additional name(s) & address(es) attached? Yes XXX No

(4) Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s). S.N. 07/887,526

B. Patent No(s).

Additional numbers attached? Yes XXX No

(5) Name and address of party to whom correspondence concerning document should be mailed:

Name: MARY S. CONSALVI, ESQ.Internal Address: LYON & LYONStreet Address: 611 West 6th St., 34th Fl.(6) Total number of applications and patents involved: One(7) Total fee (37 CFR 341):.....\$ 40.00XXX EnclosedAuthorized to be charged to deposit account

(8) Deposit Account Number:

40.00 CK

(Attach duplicate copy of this page if paying by deposit account.)

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(9) Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

MARY S. CONSALVI

Name of Person Signing

Mary S. Consalvi
Signature

9/17/92

Date

91642678

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ASSIGNMENT

WHEREAS, I, KENNETH FRANCIS BUECHLER, a citizen of the United States of America, residing at 12523 Manifesto Pl., San Diego, CA, 92130, County of San Diego, State of California, have invented a new and useful DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT OF REAGENTS WITHOUT MEMBRANES for which I have filed application papers for United States Letters Patent thereon, filed May 21 1992; and

WHEREAS, Biosite Diagnostics Incorporated, a Delaware Corporation, having its address and principal place of business at 11030 Roselle Street, Suite D, San Diego, California 92121, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor throughout the world.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I, the said Kenneth F. Buechler, do hereby sell, assign, transfer and set over unto the said Biosite Diagnostics Incorporated, its successors and assigns, the full and exclusive right, title and interest in and to the said invention, and in and to any and all Letters Patent to be granted and issued therefor, including all continuations, continuations-in-part and/or divisional applications, not only for, to and in the United States of America, its territories and possessions, but for, to and in all countries throughout the

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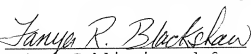
world, including all priority rights under the International Convention and any other applicable laws or treaties; and I hereby authorize and request the United States Commissioner of Patents and Trademarks to issue said Letters Patent to said Biosite Diagnostics Incorporated, its successors and assigns, in accordance with this Assignment.

WITNESS MY HAND at San Diego, California, this 14 day of September, 1992.


Kenneth Francis Buechler

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this 14 day of September, 1992, before me, the undersigned, a Notary Public for the State of California, personally appeared Kenneth Francis Buechler, personally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same.


Notary Public in and for
said County and State



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